SENATE BILL NO. 195

INTRODUCED BY CRIPPEN

IN THE SENATE

January 18, 1983	Introduced and referred to Commitee on Judiciary.
January 25, 1983	Committee recommand bill do pass. Report adopted.
January 26, 1983	Bill printed and placed on members' desks.
January 27, 1983	Second reading, do pass.
January 28, 1983	Correctly engrossed.
January 29, 1983	Third reading, passed. Ayes, 48; Noes, 0. Transmitted to House.
	IN THE HOUSE
January 29, 1983	Introduced and referred to Committee on Judiciary.
March 9, 1983	Committee recommend bill be concurred in. Report adopted.
March 10, 1983	Second reading, concurred in.
March 11, 1983	Third reading, concurred in.
	IN THE SENATE
March 12, 1983	Returned to Senate. Sent to enrolling.
	Reported correctly enrolled.

48th Legislature

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LC 1048/01

INTRODUCED BY A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING "HASHISH" FOR PURPOSES OF THE CONTROLLED SUBSTANCES LAWS: AMENDING SECTION 50-32-101. MCA." BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 50-32-101, MCA, is amended to read: #50-32-101. Definitions. As used in this chapter, the following definitions apply: (1) "Administer" means the direct application of a dangerous drug, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by: (a) a practitioner (or by his authorized agent); or (b) the patient or research subject at the direction and in the presence of the practitioner. (2) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseman, or employee of the carrier or warehouseman. (3) "Board" means the board of pharmacists provided for in 2-15-1843.

1(4) "Bureau" meansthedrugenforcement2administration:United States department of justice:or its3successor agency:

4 (5) "Counterfeit substance" means a dangerous drug 5 which or the container or labeling of which without 6 authorization bears the trademark, trade name, or other 7 identifying mark, imprint, number, or device or any likeness 8 thereof of a manufacturer, distributor, or dispenser other 9 than the person who in fact manufactured, distributed, or 10 dispensed the drug.

11 (6) "Dangerous drug" means a drug, substance, or 12 immediate precursor in Schedules I through V hereinafter set 13 forth.

14 (7) "Deliver" or "delivery" means the actual, 15 constructive, or attempted transfer from one person to 16 another of a dangerous drug, whether or not there is an 17 agency relationship.

18 (3) "Department" means the department of commerce
19 provided for in Title 2, chapter 15, part 18.

(9) "Dispense" means to deliver a dangerous drug to an
ultimate user or research subject by or pursuant to the
lawful order of a practitioner, including the prescribing,
administering, packaging, labeling, or compounding necessary
to prepare the drug for that delivery.

(10) "Dispenser" means a practitioner who dispenses.

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1 (11) "Distribute" means to deliver other than by 2 administering or dispensing a dangerous drug. 3 (12) "Distributor" means a person who distributes. 4 (13) (a) "Drug" means: 5 (i) a substance recognized as a drug in the official United States Pharmacopoeia/National Formulary or any 7 supplement to it; (ii) a substance intended for use in the diagnosis. cure, mitigation, treatment, or prevention of disease in man 10 or animals: (iii) a substance (other than food) intended to affect the structure or any function of the body of man or animals; and (iv) a substance intended for use as a component of any article specified in (a)(i), (a)(ii), or (a)(iii) of this subsection. (b) "Drug" does not include a device or its components, parts, or accessories. 114) "Hashish". as distinguished from marijuana. means the mechanically processed or extracted plant material that contains tetrahydrocannabinol (THC) and is composed of resin from the cannabis plant. fi4+/15) "Immediate precursor" means a substance which the board of pharmacists finds and by rule designates as being the principal compound commonly used or produced -3-

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primarily for use and which is an immediate chemical 1 z intermediary used or likely to be used in the manufacture of a dangerous drug, the control of which is necessary to 3 prevent, curtail, or limit manufacture. 4

5 fif(16) (a) "Manufacture" means the production. preparation, propagation, compounding, conversion, or 6 7 processing of a dangerous drug either directly or indirectly 8 by extraction from substances of natural origin+ 9 independently by means of chemical synthesis, or by a combination of extraction and chemical 10 synthesis and 11 includes any packaging or repackaging of the drug or 12 labeling or relabeling of its container.

13 (b) "Manufacture" does not include the preparation or 14 compounding of a dangerous drug by an individual for his own 15 use or the preparation, compounding, packaging, or labeling of a dangerous drug: 16

17 (i) by a practitioner as an incident to his 18 administering or dispensing of a dangerous drug in the 19 course of his professional practice; or

20 (ii) by a practitioner or his authorized agent under 21 his supervision for the purpose of or as an incident to 22 research, teaching, or chemical analysis and not for sale. 23 (16)/1171 "Marijuana (marihuana)" means all plant 24 material from the cannabis containing genus tetrahydrocannabino] (THC) or seeds of the genus capable of 25

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1 germination.

2 (17)(18) "Narcotic drug" means any of the following, 3 whether produced directly or indirectly by extraction from 4 substances of vegetable origin, independently by means of 5 chemical synthesis, or by a combination of extraction and 6 chemical synthesis:

7 (a) opium and opiate and any salt, compound,
8 derivative, or preparation of opium or opiate;

9 (5) any salt, compound, isomer, derivative, or 10 preparation thereof which is chemically equivalent or 11 identical with any of the drugs referred to in (17)[18](a) 12 of this section, but not including the isoquinoline 13 alkaloids of opium;

14 (c) opium poppy and poppy straw; or

(d) coca leaves and any salt, compound, derivative, or preparation of coca leaves and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these drugs, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

21 (18)(19) "Opiate" means any drug having an
22 addiction-forming or addiction-sustaining liability similar
23 to morphine or being capable of conversion into a drug
24 having addiction-forming or addiction-sustaining liability.
25 It does not include, unless specifically designated as a

1dangerous drug under 50-32-202, the dextrorotatory isomer of23-methoxy-n-methylmorphinananditssalts3(dextromethorphan). It does include its racemic and4levorotatory forms.

5 (19)(20) "Opium poppy" means the plant of the species
6 papaver somniferum l., except its seeds.

7 (20)(21) "Person" means an individual, corporation.
 8 government or governmental subdivision or agency. business
 9 trust, estate, trust, partnership, association, or any other
 10 legal entity.

11 (21)(22) "Poppy straw" means all parts, except the 12 seeds, of the opium poppy after mowing.

13 (22)(23) "Practitioner" means:

(a) a physician, dentist, veterinarian, scientific
investigator, or other person licensed, registered, or
otherwise permitted to distribute, dispense, or conduct
research with respect to or to administer a dangerous drug
in the course of professional practice or research in this
state; and

(b) a pharmacy or other institution licensed,
registered, or otherwise permitted to distribute, dispense,
or conduct research with respect to or to administer a
dangerous drug in the course of professional practice or
research in this state.

25 (23)(24) The term "prescription" is given the meaning

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1 it has in 37-7-101.

2 (24)1251 "Production" includes the manufacture, planting, cultivation, growing, or harvesting of a substance 3 or drug regulated under the provisions of this chapter. 4 +25+126) "State", when applied to a part of the United 5 States, includes any state, district, commonwealth, 6 7 territory, insular possession thereof, and any area subject to the legal authority of the United States of America. 8 (26)(127) "Ultimate user" means a person who lawfully 9 possesses a dangerous drug for his own use or for the use of 10 11 a member of his household or for administering to an animal 12 owned by him or by a member of his household."

-End-

READING

SECOND

Approved by Committee on Judiciary

Servet BILL NO. 195 1 INTRODUCED BY 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING "HASHISH" FOR 4 5 PURPOSES OF THE CONTROLLED SUBSTANCES LAWS; AMENDING SECTION 50-32-101, MCA.* 6 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 50-32-101, MCA, is amended to read: =50-32-101. Definitions. As used in this chapter, the 10 11 following definitions apply: 12 (1) "Administer" means the direct application of a dangerous drug, whether by injection, inhalation, ingestion, 13 14 or any other means, to the body of a patient or research subject by: 15 (a) a practitioner (or by his authorized agent); or 16 (b) the patient or research subject at the direction 17 and in the presence of the practitioner. 18 19 (2) "Agent" means an authorized person who acts on 20 behalf of or at the direction of a manufacturer. 21 distributor, or dispenser. It does not include a common or 22 contract carrier, public warehouseman, or employee of the 23 carrier or warehouseman. 24 (3) "Board" means the board of pharmacists provided

25 for in 2-15-1843.

1(4) "Bureau" means the drug enforcement2administration: United States department of justice: or its3successor agency:

4 (5) "Counterfeit substance" means a dangerous drug 5 which or the container or labeling of which without 6 authorization bears the trademark, trade name, or other 7 identifying mark, imprint, number, or device or any likeness 8 thereof of a manufacturer, distributor, or dispenser other 9 than the person who in fact manufactured, distributed, or 10 dispensed the drug.

11 (6) "Dangerous drug" means a drug, substance, or 12 immediate precursor in Schedules I through V hereinafter set 13 forth.

14 (7) "Deliver" or "delivery" means the actual,
15 constructive, or attempted transfer from one person to
16 another of a dangerous drug, whether or not there is an
17 agency relationship.

18 (3) "Department" means the department of commerce
19 provided for in Title 2, chapter 15, part 18.

{9} "Dispense" means to deliver a dangerous drug to an
ultimate user or research subject by or pursuant to the
lawful order of a practitioner, including the prescribing,
administering, packaging, labeling, or compounding necessary
to prepare the drug for that delivery.

25 (10) "Dispenser" means a practitioner who dispenses.

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(11) "Distribute" means to deliver other than by
 administering or dispensing a dangerous drug.

3 (12) "Distributor" means a person who distributes.

4 (13) (a) "Drug" means:

5 (i) a substance recognized as a drug in the official 6 United States Pharmacopoeia/National Formulary or any 7 supplement to it;

8 (ii) a substance intended for use in the diagnosis,
9 cure, mitigation, treatment, or prevention of disease in man
10 or animals;

(iii) a substance (other than food) intended to affect
 the structure or any function of the body of man or animals;
 and

14 (iv) a substance intended for use as a component of any 15 article specified in (a)(i), (a)(ii), or (a)(iii) of this 16 subsection.

17 {b) "Drug" does not include a device or its
18 components, parts, or accessories.

19 (14) "Hashish", as distinguished from marijuana, means 20 the mechanically processed or extracted plant material that 21 contains tetrahydrocannabinol (THC) and is composed of resin 22 from the cannabis plant.

ti4)[15] "Immediate precursor" means a substance which
 the board of pharmacists finds and by rule designates as
 being the principal compound commonly used or produced

primarily for use and which is an immediate chemical
 intermediary used or likely to be used in the manufacture of
 a dangerous drug, the control of which is necessary to
 prevent, curtail, or limit manufacture.

f15f(16) (a) "Manufacture" means the production, 5 propagation, compounding, conversion, or 6 preparation. 7 processing of a dangerous drug either directly or indirectly by extraction from substances of natural origin, 8 independently by means of chemical synthesis, or by a 9 combination of extraction and chemical synthesis and 10 includes any packaging or repackaging of the drug or 11 labeling or relabeling of its container. 12

(b) "Manufacture" does not include the preparation or
compounding of a dangerous drug by an individual for his own
use or the preparation, compounding, packaging, or labeling
of a dangerous drug:

17 (i) by a practitioner as an incident to his
18 administering or dispensing of a dangerous drug in the
19 course of his professional practice; or

20 (ii) by a practitioner or his authorized agent under his supervision for the purpose of or as an incident to 21 research, teaching, or chemical analysis and not for sale. 22 23 fl6)(17) "Marijuana (marihuana)" means all plant material cannabis containing 24 from the genus 25 tetrahydrocannabinol (THC) or seeds of the genus capable of

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1 germination.

, 2 (17)(18) "Narcotic drug" means any of the following,
3 whether produced directly or indirectly by extraction from
4 substances of vegetable origin, independently by means of
5 chemical synthesis, or by a combination of extraction and
6 chemical synthesis:

7 (a) opium and opiate and any salt, compound,
8 derivative, or preparation of opium or opiate;

9 (a) any salt, compound, isomer, derivative, or 10 preparation thereof which is chemically equivalent or 11 identical with any of the drugs referred to in (17)(18)(a) 12 of this section, but not including the isoquinoline 13 alkaloids of opium;

14 (c) opium poppy and poppy straw; or

15 (d) coca leaves and any salt, compound, derivative, or 16 preparation of coca leaves and any salt, compound, isomer, 17 derivative, or preparation thereof which is chemically 18 equivalent or identical with any of these drugs, but not 19 including decocainized coca leaves or extractions of coca 20 leaves which do not contain cocaine or ecgonine.

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dangerous drug under 50-32-202, the dextrorotatory isomer of
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 (dextromethorphan). It does include its racemic and
 levorotatory forms.

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5 (19)(20) "Opium poppy" means the plant of the species
6 papaver somniferum 1., except its seeds.

7 (20)(21) "Person" means an individual, corporation;
8 government or governmental subdivision or agency, business
9 trust, estate, trust, partnership, association, or any other
10 legal entity.

11 (22)(22) "Poppy straw" means all parts, except the 12 seeds, of the opium poppy after mowing.

13 (22)(23) "Practitioner" means:

(a) a physician, dentist, veterinarian, scientific
investigator, or other person licensed, registered, or
otherwise permitted to distribute, dispense, or conduct
research with respect to or to administer a dangerous drug
in the course of professional practice or research in this
state; and

(b) a pharmacy or other institution licensed,
registered, or otherwise permitted to distribute, dispense,
or conduct research with respect to or to administer a
dangerous drug in the course of professional practice or
research in this state.

25 (23)(24) The term "prescription" is given the meaning

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1 it has in 37-7-101.

Z +24)(25) "Production" includes the manufacture, planting, cultivation, growing, or harvesting of a substance З or drug regulated under the provisions of this chapter. 4 5 +25)[26] "State", when applied to a part of the United States, includes any state, district, commonwealth, 6 territory, insular possession thereof, and any area subject 7 to the legal authority of the United States of America. 8 9 (26)(27) "Ultimate user" means a person who lawfully 10 possesses a dangerous drug for his own use or for the use of 11 a member of his household or for administering to an animal 12 owned by him or by a member of his household."

-End-

LC 1048/01

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1	INTRODUCED BY
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4	A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING "HASHISH" FOR
5	PURPOSES OF THE CONTROLLED SUBSTANCES LAWS; AMENDING SECTION
6	50-32-101, HCA."
7	
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9	Section 1. Section 50-32-101, MCA, is amended to read:
10	=50-32-101. Definitions. As used in this chapter, the
11	following definitions apply:
12	(1) "Administer" means the direct application of a
13	dangerous drug, whether by injection, inhalation, ingestion,
14	or any other means, to the body of a patient or research
15	subject by:
16	(a) a practitioner (or by his authorized agent); or
17	(b) the patient or research subject at the direction
18	and in the presence of the practitioner.
19	(2) "Agent" means an authorized person who acts on
20	behalf of or at the direction of a manufacturer,
21	distributor, or dispenser. It does not include a common or
22	contract carrier, public warehouseman, or employee of the
23	carrier or warehouseman.

24 (3) "Board" means the board of pharmacists provided
25 for in 2-15-1843.

1 (4) "Bureau" means the drug enforcement 2 administration, United States department of justice, or its 3 successor agency.

4 (5) "Counterfeit substance" means a dangerous drug 5 which or the container or labeling of which without 6 authorization bears the trademark, trade name, or other 7 identifying mark, imprint, number, or device or any likeness 8 thereof of a manufacturer, distributor, or dispenser other 9 than the person who in fact manufactured, distributed, or 10 dispensed the drug.

11 (6) "Dangerous drug" means a drug, substance, or 12 immediate precursor in Schedules I through V hereinafter set 13 forth.

14 (7) "Deliver" or "delivery" means the actual, 15 constructive, or attempted transfer from one person to 16 another of a dangerous drug, whether or not there is an 17 agency relationship.

18 (8) "Department" means the department of commerce
19 provided for in Title 2, chapter 15, part 18.

(9) "Dispense" means to deliver a dangerous drug to an
ultimate user or research subject by or pursuant to the
lawful order of a practitioner, including the prescribing,
administering, packaging, labeling, or compounding necessary
to prepare the drug for that delivery.

25 (10) "Dispenser" means a practitioner who dispenses.

-2- THIRD READING

(11) "Distribute" means to deliver other than by administering or dispensing a dangerous drug. (12) "Distributor" means a person who distributes. (13) (a) "Drug" means: (i) a substance recognized as a drug in the official United States Pharmacopoeia/National Formulary or any supplement to it; (ii) a substance intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals: (iii) a substance (other than food) intended to affect the structure or any function of the body of man or animals; and (iv) a substance intended for use as a component of any article specified in (a)(i), (a)(ii), or (a)(iii) of this subsection. (b) "Drug" does not include a device or its components, parts, or accessories. (14) "Hashish", as distinguished from warijuana, means the mechanically processed or extracted plant material that contains tetrahydrocannabinol (THC) and is composed of resin from the cannabis glant. (14)(15) "Immediate precursor" means a substance which the board of pharmacists finds and by rule designates as being the principal compound commonly used or produced -3-

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(15)[161 (a) "Manufacture" means the 5 production, preparation, propagation, compounding, conversion, or 6 processing of a dangerous drug either directly or indirectly 7 by extraction from substances of natural origin, 8 9 independently by means of chemical synthesis, or by a 10 combination of extraction and chemical synthesis and includes any packaging or repackaging of the drug or 11 labeling or relabeling of its container. 12

(b) "Nanufacture" does not include the preparation or
compounding of a dangerous drug by an individual for his own
use or the preparation, compounding, packaging, or labeling
of a dangerous drug:

17 (i) by a practitioner as an incident to his
18 administering or dispensing of a dangerous drug in the
19 course of his professional practice; or

(ii) by a practitioner or his authorized agent under 20 his supervision for the purpose of or as an incident to 21 22 research, teaching, or chemical analysis and not for sale. 23 (16)(17) "Marijuana (marihuana)" all plant means 24 material from the genus cannabis containing 25 tetrahydrocannabinol (THC) or seeds of the genus capable of

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1 germination.

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2 (17)(18) "Narcotic drug" means any of the following, 3 whether produced directly or indirectly by extraction from 4 substances of vegetable origin, independently by means of 5 chemical synthesis, or by a combination of extraction and 6 chemical synthesis:

7 (a) opium and opiate and any salt, compound,
8 derivative, or preparation of opium or opiate;

9 (b) any salt, compound, isomer, derivative, or 10 preparation thereof which is chemically equivalent or 11 identical with any of the drugs referred to in (17)(18)(a) 12 of this section, but not including the isoquinoline 13 alkaloids of opium;

(c) opium poppy and poppy straw; or

15 (d) coca leaves and any salt, compound, derivative, or 16 preparation of coca leaves and any salt, compound, isomer, 17 derivative, or preparation thereof which is chemically 18 equivalent or identical with any of these drugs, but not 19 including decocainized coca leaves or extractions of coca 20 leaves which do not contain cocaine or ecgonine.

21 (10)(12) "Opiate" means any drug having an
addiction-forming or addiction-sustaining liability similar
23 to morphine or being capable of conversion into a drug
24 having addiction-forming or addiction-sustaining liability.
25 It does not include, unless specifically designated as a

1dangerous drug under 50-32-202, the dextrorotatory isomer of23-methoxy-n-methylmorphinananditssalts3(dextromethorphan). It does include its racemic and4levorotatory forms.

5 (19)(20) "Opium poppy" means the plant of the species
6 papaver somniferum 1., except its seeds.

7 (20)(21) "Person" means an individual, corporation,
8 government or governmental subdivision or agency, business
9 trust, estate, trust, partnership, association, or any other
10 legal entity.

11 (21)(22) "Poppy straw" means all parts, except the 12 seeds, of the opium poppy after mowing.

13 (22)(23) "Practitioner" means:

(a) a physician, dentist, veterinarian, scientific
investigator, or other person licensed, registered, or
otherwise permitted to distribute, dispense, or conduct
research with respect to or to administer a dangerous drug
in the course of professional practice or research in this
state; and

(b) a pharmacy or other institution licensed,
registered, or otherwise permitted to distribute, dispense,
or conduct research with respect to or to administer a
dangerous drug in the course of professional practice or
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25 (23)(24) The term "prescription" is given the meaning

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1 it has in 37-7-101.

2 t24;(25) "Production" includes the manufacture, 3 planting, cultivation, growing, or harvesting of a substance or drug regulated under the provisions of this chapter. 4 5 (25)(26) "State", when applied to a part of the United States, includes any state, district, commonwealth, 6 7 territory, insular possession thereof, and any area subject 8 to the legal authority of the United States of America. 9 (26)(27) "Ultimate user" means a person who lawfully possesses a dangerous drug for his own use or for the use of 10 11 a member of his household or for administering to an animal 12 owned by him or by a member of his household."

-End-

SB 0195/02

SENATE BILL NO. 195 1 2 INTRODUCED BY CRIPPEN З A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING "HASHISH" FOR 4 PURPOSES OF THE CONTROLLED SUBSTANCES LAWS; AMENDING SECTION 5 50-32-101+ MCA+* 6 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 8 Section 1. Section 50-32-101, MCA, is amended to read: 9 *50-32-101. Definitions. As used in this chapter, the 10 11 following definitions apply: (1) "Administer" means the direct application of a 12 13 dangerous drug, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research 14 15 subject by: 16 (a) a practitioner (or by his authorized agent); or 17 (b) the patient or research subject at the direction 18 and in the presence of the practitioner. 19 (2) "Agent" means an authorized person who acts on 20 behalf of or at the direction of a manufacturer, 21 distributor, or dispenser. It does not include a common or 22 contract carrier, public warehouseman, or employee of the 23 carrier or warehouseman.

24 (3) "Board" means the board of pharmacists provided
 25 for in 2-15-1843.

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3 successor agency.

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4 (5) "Counterfeit substance" means a dangerous drug 5 which or the container or labeling of which without 6 authorization bears the trademark, trade name, or other 7 identifying mark, imprint, number, or device or any likeness 8 thereof of a manufacturer, distributor, or dispenser other 9 than the person who in fact manufactured, distributed, or dispensed the drug. 10 11 (6) "Dangerous drug" means a drugy substance, or 12 immediate precursor in Schedules I through V hereinafter set 13 forth. 14 (7) "Deliver" or "delivery" means the actual, 15 constructive, or attempted transfer from one person to 16 another of a dangerous drug, whether or not there is an 17 agency relationship. 18 (8) "Department" means the department of commerce 19 provided for in Title 2, chapter 15, part 18. 20 (9) "Dispense" means to deliver a dangerous drug to an

ultimate user or research subject by or pursuant to the

lawful order of a practitioner, including the prescribing,

administering, packaging, labeling, or compounding necessary

(10) "Dispenser" means a practitioner who dispenses.

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to prepare the drug for that delivery.

SB 195 REFERENCE BILL

SB 195

1 (11) "Distribute" means to deliver other than by z administering or dispensing a dangerous drug. 3 (12) "Distributor" means a person who distributes. 4 (13) (a) "Drug" means: 5 (i) a substance recognized as a drug in the official United States Pharmacopoeia/National Formulary or any 6 7 supplement to it; в (ii) a substance intended for use in the diagnosis. 9 cure, mitigation, treatment, or prevention of disease in man or animals: 10 11 (iii) a substance (other than food) intended to affect 12 the structure or any function of the body of man or animals; 13 and (iv) a substance intended for use as a component of any 14 15 article specified in (a)(i), (a)(ii), or (a)(iii) of this 16 subsection. 17 (b) "Drug" does not include a device or its 18 components, parts, or accessories. 19 1141_"Hashisb", as distinguished from marijuana, means **Z**0 the mechanically processed or extracted plant material __that 21 contains_tetrabydrocannabiool_(IHC)_and_is_composed_of_resin 22 from the cannabis plant. 23 f14/(15) "Immediate precursor" means a substance which 24 the board of pharmacists finds and by rule designates as 25 being the principal compound commonly used or produced -3-

1 primarily for use and which is an immediate chemical 2 intermediary used or likely to be used in the manufacture of 3 a dangerous drug, the control of which is necessary to 4 prevent, curtail, or limit manufacture.

5 ft5f(16) (a) "Manufacture" means the production. 6 preparation, propagation, compounding, conversion, or 7 processing of a dangerous drug either directly or indirectly 8 by extraction from substances of natural origin+ 9 independently by means of chemical synthesis, or by a 10 combination of extraction and chemical synthesis and 11 includes any packaging or repackaging of the drug or 12 labeling or relabeling of its container.

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SB 0195/02

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4 substances of vegetable origin; independently by means of
5 chemical synthesis; or by a combination of extraction and
6 chemical synthesis;

7 (a) opium and opiate and any salt, compound,
 8 derivative, or preparation of opium or opiate;

9 (b) any salt, compound, isomer, derivative, or 10 preparation thereof which is chemically equivalent or 11 identical with any of the drugs referred to in (17)(18)(a) 12 of this section, but not including the isoquinoline 13 alkaloids of opium:

14 (c) opium poppy and poppy straw; or

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21 (18)(19) "Opiate" means any drug having an
22 addiction-forming or addiction-sustaining liability similar
23 to morphine or being capable of conversion into a drug
24 having addiction-forming or addiction-sustaining liability.
25 It does not include, unless specifically designated as a

1 dangerous drug under 50-32-202, the dextrorotatory isomer of 2 3-methoxy-a-methylmorphinan and its salts 3 (dextromethorphan). It does include its racemic and 4 levorotatory forms. 5 ti9+1201 "Opium poppy" means the plant of the species papaver somniferum 1., except its seeds. 6 7 f20)/211 "Person" means an individual, corporation, 8 government or governmental subdivision or agency, business 9 trust, estate, trust, partnership, association, or any other 10 legal entity. 11 t21)1221 *Poppy straw* means all parts, except the seeds, of the opium poppy after mowing. 12 13 f22)[23] "Practitioner" means: 14 (a) a physician, dentist, veterinarian, scientific 15 investigator, or other person licensed, registered, or 16 otherwise permitted to distribute, dispense, or conduct 17 research with respect to or to administer a dangerous drug 18 in the course of professional practice or research in this 19 state; and 20 (b) a pharmacy or other institution licensed, registered, or otherwise permitted to distribute, dispense, 21 22 or conduct research with respect to or to administer a

24 research in this state.

23

25 (29)(24) The term "prescription" is given the meaning

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dangerous drug in the course of professional practice or

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1 it has in 37-7-101.

2 te41(25) "Production" includes the manufacture, 3 planting, cultivation, growing, or harvesting of a substance 4 or drug regulated under the provisions of this chapter. (25)(26) "State", when applied to a part of the United 5 States, includes any state, district, commonwealth, 6 T territory, insular possession thereof, and any area subject 8 to the legal authority of the United States of America. 9 t26+1271 "Ultimate user" means a person who lawfully 10 possesses a dangerous drug for his own use or for the use of a member of his household or for administering to an animal 11 owned by him or by a member of his household." 12

-End-